

STATEMENT

City of Kenosha Police Department:

x

Case Number:

2004-156477

County of Kenosha Sheriffs Department:

Date Of Birth:

02/15/66

Name:

Francis W. Clark

Address:

8312-14 Avenue Kenosha, WI 53143

Phone:

652-5693

Employer:

Albany Chicago

On:

11/09/04

at

8310-14 Avenue

I saw and heard the following:

I live at 8312-14 Avenue along with my fiancée (Charlene Nejedly). We moved in there together in March 2004. The building is a duplex and we live on the south side and the landlord lives on the north side. The landlord is Kim Bell and Michael Bell her son lived there with her and her daughter Shante. On 11/09/04 at about 2 am we were sleeping and our dog started barking and woke us up. Our bedroom is upstairs on the east side. Charlene looked out the window first and she said something like 'Oh my god, Michael is down there getting arrested by the cops'. I heard yelling going on out front before I looked out the window. I then got up and looked out the window and saw the two squads with their red and blue lights on in the street and I saw a greenish color SUV with the passenger side door open. The SUV was parked along the curb facing south directly in front of my address. Both of the squads were in the street but I do not recall what direction they were facing. When I looked out the window I saw two officers by the front porch and one of the officers yelled to Michael to stop and Michael Bell was running north towards the north driveway. I then went to our upstairs bathroom and looked out the west window and I could see what was going on. Kim must have turned her yard lights on because the whole back area was lit up like a Christmas tree. I saw Michael on the ground right in front of the two wave runners. The two wave runners are on a trailer parked on the southwest corner of the concrete pad. Michael was on the ground and the two officers were trying to arrest him. Michael was resisting the arrest trying to get loose and Michael was rocking back and forth and swinging and trying everything he could trying to get out of their grip. There was a lot of hollering and I heard Michael saying "get off of me, get off of me". Kim Bell was out side there in her night gown and Shante was on the back porch. Kim was pulling on the officers jacket that was on the right side of Michael and she was yelling "get off of him, get off of him, or I am going to call the cops". The officer told Kim to get back on the porch or he would arrest her too. Kim backed off and went on the porch. That same officer that told Kim to get back on the porch got up off of Michael and got up out of the kneeling position and started kneeing Michael in the ribs a couple of times and then this officer stood up and started kicking him aggressively in the ribs. It was on the right rib cage where this officer was kicking him. Michael then lunged upwards away from the cops. The officers then shoved Michael face first over the hood of Michael's bronze colored Mazda which was parked on the northwest corner of the concrete pad. Michael continued to fight trying to get loose and the officer on Michael's right side got control of Michael's right arm and pulled it back behind him. That officer then pulled out his handcuffs and slapped them on Michael's right wrist. Michael was still fighting with the officers and still trying to get loose and then I saw a third officer come from my side of the house which is the south side driveway. This third officer ran across the back yard in front of the back porches to where the two officers had Michael up on the hood of the Mazda. It could be a Nissan but I am not sure. I saw this third officer pull out his gun as he ran towards Michael and the other two officers. This third officer went in between these other two officers and it was a matter of seconds when I heard one single gun shot and I saw a forth officer come over the top of the north side fence. The three officers that were over the top of Michael then stepped back and Michael lay over the hood motionless. Just after I heard the gunshot I heard Shante say, "Oh my god, you killed my brother". Michael then slid down off the car onto the pavement coming to rest near the front driver's side tire. It was dead silent there for a minute and I could see all the blood on the hood of the car and I could see a pool of blood coming from Michael's head. I do not remember anything said after that because I had to leave the bathroom window because I was getting sick. Many other officers started to arrive. Charlene was watching the whole thing out the same window and we were side by side. Charlene continued to watch out the bathroom window after I left the window. I know the handcuff was on Michael's right wrist but the officers were not able to get the left wrist handcuffed. I never saw Michael trying to get any of the officer's guns from them. I never heard any officers yelling about a gun. The officers were yelling but I could not tell what they were saying. Later at about 3:30am I was going to the bathroom and my window was open and I heard one of the officers say something to the effect that he hit him with a number of voltage and all I got out of him was a ouch. I gave this statement to Detective Gregory Ollila and he typed it out for me and it is all correct.

I have made the above statement without any threats or promises. It is my desire to state the true facts as to this incident. I have read the above statement and find it is true and correct.

Witness:

Det Gregory C. Ollila #234

Signed:

Francis W. Clark

Date:

11-11-04

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Records Bureau

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